

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

SPERO HARITATOS, an individual

Plaintiff,

vs.

HASBRO, INC., a Rhode Island corporation
and TOYS “R” US-NY LLC,
a New York limited liability company

Defendants.

Civil Action No. 05-CV-930 (DNH)(GJD)

NOTICE OF MOTION

Plaintiff SPERO HARITATOS, (“Plaintiff”), by and through his undersigned attorneys,
hereby submit this Notice Of Motion, alerting the Court to Plaintiff’s Motion For Entry Of
Default Judgment Against Defendant Toys “R” Us-NY LLC.

MOTION MADE BY: Wall Marjama & Bilinski LLP

Attorneys for Plaintiff

**DATE, TIME, AND
PLACE OF HEARING:** March 10, 2006, at _____ A.M. at the U.S. District
Court, 10 Broad Street Utica, NY 13501 before the Hon.
Judge David N. Hurd.

PAPERS SUBMITTED: In addition to this Notice Of Motion, the following papers are
submitted: Plaintiff's Motion For Entry Of Default Judgment
Against Defendant Toys "R" Us-NY LLC (including Exhibits
A – F); and Certificate Of Service.

RELIEF DEMANDED: Spero Haritatos respectfully prays for the imposition of
sanctions and of default judgment under Rules 26(g)(3) and
55(b) from the Court with respect to Defendant Toys "R" Us –
NY LLC's litigation conduct including its grossly belated,
insufficient initial disclosures and its failure to provide any
responses to Plaintiff's long-outstanding discovery requests.

(signature block on next page)

Respectfully submitted,

Dated: January 26, 2006
Syracuse, New York

SPERO HARITATOS

By his attorneys,

/s/ Robert E. Purcell

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